

**REMARKS/ARGUMENTS**

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Applicant in the instant Preliminary Amendment has amended claims 15 and 25 to set forth the preferred beryllium content for reducing dross formation in the aluminum alloy melt in accordance with the process of the present invention as claimed. There is a minimum beryllium and vanadium content which is necessary to effectively prevent dross formation. The experimental data set forth in the specification of the instant application clearly demonstrates the criticality of the minimum beryllium and vanadium content.

Applicant files concurrently with the instant RCE application a petition to suspend action for three months so as to allow the undersigned to conduct a personal interview with Examiner Ip to discuss the amended claims and the showing of criticality in the instant application.

The undersigned will contact Examiner Ip shortly.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

Applicant encloses herewith a check in the amount of \$1900.00 to cover the fee for a three (3) month extension of time request, petition fee and an RCE application.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

HUBERT KOCH

By 

Gregory P. LaPointe

Attorney for Applicant

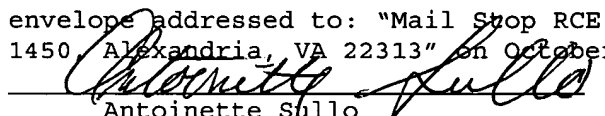
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Date: October 13, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 13, 2004.

  
Antoinette Sullo